

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney
JOANN M. SWANSON (CSBN 88143)
Chief, Civil Division
MELANIE L. PROCTOR (CSBN 228971)
Melanie.Proctor@usdoj.gov
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-6730
FAX: (415) 436-7169

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MEGGY CAI QING LI,)	No. C 08-2425 MEJ
)	
Plaintiff)	
)	
v.)	CONTINUE
)	STIPULATION TO VACATE CASE
MICHAEL CHERTOFF, Secretary of the)	MANAGEMENT CONFERENCE;
U.S. Department of Homeland Security;)	PROPOSED ORDER
EMILIO T. GONZALES, Director of)	
U.S. Citizenship and Immigration Services;)	
CHRISTINA POULOS, Director, California)	
Service Center, USCIS; CONDOLEEZA)	
RICE, Secretary of State,)	
)	
Defendants.)	

On May 12, 2008, Plaintiff filed the above-captioned action. The Court issued a scheduling order on the same date, setting a Case Management Conference for August 21, 2008. On July 14, 2008, Defendants moved to dismiss the Complaint; in the alternative, Defendants moved for a grant of summary judgment in their favor. The hearing on Defendants' Motion is scheduled for September 25, 2008. Defendants' counsel has filed a Notice of Unavailability, indicating that she will be unavailable from August 18-29, 2008.

///

///

///

STIPULATION
C 08-2425 MEJ

The parties do not have any disputes that would be resolved at a Case Management Conference, and it appears that this action will be resolved through motions. Accordingly, the parties hereby stipulate, subject to approval of the Court, to vacate the Case Management Conference scheduled for August 21, 2008. Alternatively, the parties suggest moving the Case Management Conference to follow the hearing on Defendants' Motion.

Dated: July 31, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
MELANIE L. PROCTOR¹
Assistant United States Attorney
Attorneys for Defendants

Dated: July 31, 2008

/s/
JUSTIN WANG
Attorney for Plaintiff

PROPOSED ORDER

Pursuant to stipulation, IT IS SO ORDERED. The Case Management Conference scheduled for August 21, 2008, is hereby VACATED.

Dated:

MARIA-ELENA JAMES
United States Magistrate Judge

ALTERNATIVE PROPOSED ORDER

Pursuant to stipulation, IT IS SO ORDERED. The Case Management Conference scheduled for August 21, 2008, is hereby continued to September 25, 2008, to be held following the hearing on Defendants' Motion.

Dated: August 4, 2008



¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document.